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Statement that indicates that the U.S. Census does not show that North Canaan is listed in the List of Incorporated Places or List of Census Designated Places. Review of the *Rand-McNally Commercial Atlas and Marketing Guide*, 1997 Edition, reveals that the "town" of North Canaan includes the community of East Canaan. A spokesperson for the Selectmen of North Canaan, Dorothy Paviol, told counsel that North Canaan also includes the communities of Sodom and Canaan Valley. Counsel briefly searched the world wide web for information on governmental services, businesses¹ and cultural activities peculiar to North Canaan and found no such information. No specific identification of such community attributes was made in the petition for rule making beyond a mere blanket statement of their existence.

A serious question is raised as to the *bona fides* of North Canaan as a community for allotment purposes. The Commission cannot allot Channel *277A to North Canaan, if it does not so qualify. Examination of the map of North Canaan printed in the *Rand-McNally Commercial Atlas and Marketing Guide*, 1997 Edition, reveals that North Canaan appears to be merely a subdivision of Litchfield County, Connecticut. In *Southwestern Broadcasting Corp.*, 38 RR2d 39, 40 and n. 1, the Commission stated that "Counties, as such, are geographically too extensive to qualify as licensed communities for broadcast stations within the meaning of Section 307(b) of the Communications Act." SHU has the burden of providing additional information to support its claim of community status. In *Trade, Tennessee*, 69 RR 2d 1731 (1991) the Commission refused to find Trade to be a community for allotment purposes. Trade was listed in the *Commercial Atlas* as having a population of 150, but was neither

¹ Ms. Paviol mentioned that North Canaan has some businesses, including a quarry, within its boundaries.

CERTIFICATE OF SERVICE

I, Patricia A. Neil, a secretary in the law offices of Smithwick & Belendiuk, P.C., hereby certify that copies of the foregoing Comments on Notice of Proposed Rule Making and Order to Show Cause were delivered by first-class mail, postage prepaid, mailed this the 7th day of September, 1997 to the following:

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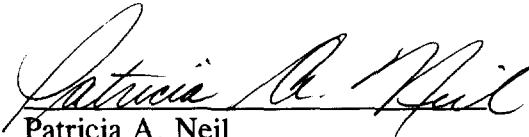
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